

# House File 2323 - Introduced

HOUSE FILE 2323

BY COMMITTEE ON PUBLIC SAFETY

(SUCCESSOR TO HSB 634)

## A BILL FOR

1 An Act creating an opioid antagonist medication fund for first  
2 responders.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION. 135.190A Opioid antagonist  
2 medication fund.

3     1. An opioid antagonist medication fund for first  
4 responders is created within the state treasury under the  
5 control of the department. The fund shall consist of moneys  
6 appropriated to or deposited into the fund.

7     2. Moneys in the fund are appropriated to the department for  
8 the purchase, maintenance, and replacement of opioid antagonist  
9 medication administered by first responders to persons  
10 experiencing an opioid-related overdose. The department is  
11 authorized to designate moneys in the fund for the purchase,  
12 maintenance, and replacement of opioid antagonist medication  
13 used by the department or other entities under this section.

14     3. First responders may contact the department for the  
15 procurement of opioid antagonist medication. The department  
16 shall keep a record of the distribution of moneys from the  
17 fund.

18     4. The fund may consist of available federal or state moneys  
19 available, as well as any available opioid lawsuit settlement  
20 moneys. Funds may be transferred between other state agencies  
21 and the fund as appropriate.

22     5. Notwithstanding section 8.33, moneys in the fund  
23 that remain unencumbered or unobligated at the close of  
24 a fiscal year shall not revert but shall remain available  
25 for expenditure for the purposes designated unless federal  
26 regulations otherwise require. Notwithstanding section 12C.7,  
27 subsection 2, interest or earnings on moneys in the fund shall  
28 be credited to the fund.

29     6. The department shall submit a report to the  
30 co-chairpersons and ranking members of the joint appropriations  
31 subcommittee on the justice system and to the legislative  
32 services agency on or before December 31 of each year which  
33 shall contain a list of deposits and expenditures from the fund  
34 for the prior fiscal year and the amount of carryover funds, if  
35 any, to be distributed in the next fiscal year.

1     7. For purposes of this section:

2     a. *"First responder"* means an emergency medical care  
3 provider, a registered nurse staffing an authorized service  
4 program under section 147A.12, a physician assistant staffing  
5 an authorized service program under section 147A.13, a fire  
6 fighter, or a peace officer as defined in section 801.4 who is  
7 trained and authorized to administer an opioid antagonist.

8     *b. "Opioid antagonist"* means the same as defined in section  
9 147A.1.

10     c. "*Opioid-related overdose*" means the same as defined in  
11 section 147A.1.

12	EXPLANATION
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13 The inclusion of this explanation does not constitute agreement with  
14 the explanation's substance by the members of the general assembly.

15       This bill creates an opioid antagonist medication fund for  
16 first responders.

17 The bill provides that an opioid antagonist medication  
18 fund (fund) for first responders is created within the state  
19 treasury under the control of the department of public health  
20 (department). The fund shall consist of moneys appropriated  
21 to or deposited in the fund and may include available federal  
22 or state moneys, as well as any available opioid lawsuit  
23 settlement moneys. Funds may be transferred between other  
24 state agencies and the fund as appropriate. Moneys in the  
25 fund are appropriated to the department for the purchase,  
26 maintenance, and replacement of opioid antagonist medication to  
27 be administered by first responders to persons experiencing an  
28 opioid-related overdose. Moneys in the fund may be designated  
29 for the purchase, maintenance, and replacement of opioid  
30 antagonist medication. First responders may contact the  
31 department for the procurement of opioid antagonist medication  
32 and the department shall keep a record of the distribution of  
33 moneys from the fund.

34 The bill provides that moneys in the fund that remain  
35 unencumbered or unobligated at the close of a fiscal year shall

1 not revert but shall remain available for expenditure, unless  
2 federal regulations otherwise require, and interest or earnings  
3 on moneys in the fund shall be credited to the fund.

4     The bill provides that the department shall submit a report  
5 to the co-chairpersons and ranking members of the joint  
6 appropriations subcommittee on the justice system and to the  
7 legislative services agency on or before December 31 of each  
8 year which shall contain a list of deposits and expenditures  
9 from the fund for the prior fiscal year and the amount of  
10 carryover funds, if any, to be distributed in the next fiscal  
11 year.

12     The bill provides definitions.